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ABSTRACT

This collection of papers presents the proceedings of a June 2000 conference that examined the concept of social justice and determined what elements of social justice could help set an agenda for the child welfare system in the new century. The conference proceedings include: "Introduction: Historical Highlights" (Esther Wattenberg); "The Struggle for a Responsive Child Welfare System: The Role of the Children's Bureau" (Cecilia Sudia); "Reflections" (Jeanne Giovannoni); "Commentary" (Clarke Chambers); "Challenges from the Front Line" (Denise Revels Robinson); "Award to Senator Robert Tennessen" (Sandra Gardebring); "The Current Crisis in Child Welfare: What Can Be Done?" (Mark Courtney); "A Comparative View of Child Welfare: Britain and the United States" (Michael Little); "The Welfare of Children: Agenda Items for a New Century--A Panel Discussion"; and "Response from the Field: A New Direction, A New Generation." (SM)

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ED 459 286

# A Social Justice Framework For Child Welfare:
## The Agenda for a New Century

A Summary of Proceedings of the Conference Held
June 23, 2000
University of Minnesota

Edited by Esther Wattenberg

Sponsored by the University of Minnesota's
Center for Advanced Studies in Child Welfare
School of Social Work
Center for Urban and Regional Affairs, and
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## Acknowledgements

This forum could not have been possible without the strong interest of state and county managers, supervisors and child protection workers. Their concern with the broad issues of child welfare reform reinforced the significance of this forum. Several exchanges with program directors in the non-profit sector of community-based efforts added another dimension to shaping the content of the forum. This articulation of concerns, rooted in the every day practice in ensuring the safety of children in families with multiple and complex needs, provided the springboard for considering issues of "social justice."

We thank Harold Richman, director of the Chapin Hall Center for Children, for hosting a meeting with staff members to help us identify a crucial issue: the narrowing of the public sector's response to children at risk.

We owe a special thanks the various members of the advisory committee who shared time, experiences, and knowledge to enable us to formulate the agenda for this conference.

We especially appreciate the excellent editorial skills of Yvonne Pearson who reviewed the transcribed presentations and provided insightful editing.

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## Program Agenda

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|---|---|
| *8:30 - 9:00* | ***Registration*** |
| *9:00 - 9:15* | ***Introduction to Conference,*** Esther Wattenberg |
| *9:15 - 10:00* | ***The Struggle for a Responsive Child Welfare System: The Role of the Children's Bureau,*** Cecelia Sudia, Children's Bureau |
| *10:00 - 10:15* | ***Reflections,*** Jeanne Giovannoni, Professor Emerita, UCLA |
| *10:15 – 10:30* | ***Audience Response*** |
| **10:30 - 10:45** | **Break** |
| *10:45 - 11:00* | ***Commentary*** Clarke Chambers, Social Welfare Historian, University of Minnesota |
| *11:00 – 11:45* | ***Challenges from the Front Line,*** Denise Revels Robinson, Director, Milwaukee Bureau of Child Welfare |
| *11:45 – 12 Noon* | ***Audience Response*** |
| *12:00 - 1:00* | *Luncheon and Award Presentation ;* Presenter: Sandra Gardebring, Vice President for Institutional Relations, University of Minnesota Award: **Robert Tennessen, Esq.,** former State Senator, author of *The Tennessen Warning* |
| *1:00 - 1:30* | ***The Current Crisis in Child Welfare: What Can Be Done?*** Mark Courtney, University of Wisconsin, Madison |
| *1:30 - 2:00* | ***A Comparative View of Child Welfare: Britain and the United States;*** Michael Little, Chapin Hall – University of Chicago and Faculty, Dartington Hall, United Kingdom |
| *2:00 - 2:15* | ***Audience Response*** |
| **2:15 - 2:30** | **Break** |
| 2:30 - 3:15 | The Welfare of Children: Agenda Items for a New Century - A Panel Discussion |
| *3:15 – 3:30* | ***Audience Response*** |
| 3:30 - 3:45 | Response from the Field: A New Direction; A New Generation |
| *3:30 – 4:00* | *Wrap-up: A Social Justice Framework* |

# Foreword

After a century of development and several cycles of reform, child welfare remains far from coherent and responsive. We have over a century of experience with supportive services for poor families, and there are some good outcomes. But always we are driven by a sense that the arrangements for responding to reports of maltreatment of children are marginal and need reform.

Why do children become involved with the child protection system? Factors such as poverty, living in dangerous neighborhoods, racial or minority status are all correlates. But how these factors provide cross-currents with substance abuse, mental illness, and domestic violence are not fully understood.

The assertion that poverty has a causal effect on the safety and well-being of children is a hypothesis that has been open to question. How poverty affects the pathway into child protection is not entirely clear. Is it that poverty induces negative shocks—homelessness, hunger, uncertainty—yielding stress which, in turn, contributes to maltreatment? Then why do some families suffering the deprivation of poverty not maltreat their children?

For child welfare, there is an inherent dilemma of responding to children in chronically neglecting families, living in conditions of serious and unremediated poverty: Can a social service strategy be effective? And if so, with what cluster of families?

We still do not understand how changes associated with welfare reform will affect involvement with child protective systems. Will the working poor be substantially different in their parental responsibilities than the dependent poor? Is it the source of income or the level of income that makes a difference?

Despite several cycles of reform, informed by themes such as family systems and crisis intervention, strength based strategies, and family based services, we have made only modest progress toward a comprehensive social service system.

To think more deeply about what we can do better, principles of good practice have been identified and are reasonably well-established. However, it is less clear that the child welfare system can make progress in struggling with major challenges in housing, health, and adequate income—basic human needs.

Now we face the dismantling of a minimum safety net for poor families. Thus, we are drawn to the social justice theme as the guide for the 21st Century.

## Introduction: Historical Highlights

*Esther Wattenberg*
*Director, Center for Advanced Studies in Child Welfare*
*Professor, School of Social Work*
*Associate, Center for Urban and Regional Affairs (CURA)*
*University of Minnesota*

*Please note: These observations accompanied a PowerPoint presentation of historical highlights in Child Welfare.*

On the advice and consent of our advisory committee, we are gathered here for the lofty purpose of examining the concept of social justice and determining what elements in this ennobling principle will help us to set the agenda for the child welfare system in the new century.

We arrive here by way of repeated attempts to reform the "staggering" child welfare system and recurrent public inquiries into high profile tragedies of child maltreatment, which momentarily grasp the attention of public concern. . . .

We began our planning for this conference with a basic question, 'How did it happen that a broad concern with the welfare of children has dwindled down, in the year 2000, into a narrow and restricted response only to reports of maltreated children? . . . And why did it happen? I don't know if we'll find the answers to that, as we go along, but I hope it will be a reverberating question as we spend the day.

A quick look at the past may provide some clues to the pathway that brought us from a broad concern for child well-being to a narrow absorption with safety from imminent harm. (See Appendix A.)

We start with the Elizabethan Poor Laws—I know all graduate students and undergraduate students will know this, but this is a refresher course.

Why are the Elizabethan Poor Laws, 1601, the touchstone of public welfare issues concerned with families and children? These laws set down a set of principles which resonated down through the ages. We note this: Elizabethan Poor Laws established local government's responsibility for poor families as a basic principle. Thus, the major source of money for this responsibility was now lodged in local taxes.

This, of course, at once gave us the constraints that are associated with providing assistance to impoverished families. The principle of local fiscal responsibility and its limitations remain as part of this legacy.

Not surprisingly, the Elizabethan Poor Laws defined who shall be served. Residency requirements emerged as a rationing factor. The question of residency continues throughout the history of public assistance for destitute families and children. The Supreme Court is called in, from time to time, to rule on this principle, and as you know, they have persistently ruled that residency requirements are a violation of the equal protection principle of the Fourteenth Amendment.

Nevertheless, the challenge is recurrent. Not too long ago, Hennepin County urged destitute families to return to where they came from, and even offered bus tickets. This was ruled unconstitutional. Settlement persists as an issue.

Then we had the principle that also reverberates continuously—a designation of the 'worthy' and 'unworthy' poor; the 'deserving' and the 'undeserving'. Here we have widows and dependent children as the 'worthy', and for the 'unworthy', we have the designation of 'sturdy vagabonds and beggars'. The children who were sturdy vagabonds and beggars became known throughout the next decades as the 'unruly' children.

Colonial American embraced Elizabethan Poor Laws, including the principle of "institutionalization," as a response to poor children. And here we have the emergence of alms houses, work houses, orphanages, indentured work for dependent children. At the same time, the institution of slavery, in the United States, was well entrenched as we move along toward the earliest part of the 19th Century.

By the early 19th Century, a phenomenon was noted: the concentration of urban poor, described by Charles Loring Brace as the 'dangerous classes'. Charles Loring Brace felt that the only response we could really make toward poor children was to rescue them by sweeping them off the streets and sending them in orphan trains from the wicked East into the healthy Midwest

Moving along to the 19th Century, we have the Progressive Era, and we have a social welfare historian, Clarke Chambers, whose scholarship in that era is nationally and internationally known. We'll hear from Clarke a bit later.

Moving along to the early part of the 20th Century, we had the beginnings of a federal role. In 1909, we have the White House Conference on Children. In 1912, the Children's Bureau was created, and we will be hearing something about that history.

In this part of the century, we have a notable event. The federal role in responding to the health of children—the Sheppard-Towner Act—creating an extensive network of responses for the health of mothers and children. It lasted for exactly three years. Under the charge that this was socialism, the Sheppard-Towner Act's attempt to create a universal minimum health care for children collapsed and evaporated. The federal role in children's health did not reappear for many years.

Mother's Aid Pensions (the forerunner of AFDC) and Child Labor Laws began as state level initiatives. We also have, at this time, American Indian Boarding Schools, in which the notion was that we could socialize very poor and unruly children by removing them from families. The reverberations from that period are very much part of the legislative and policy history of the Indian Child Welfare Act, 1978.

The most dramatic event occurs in mid 20th Century, following the Great Depression— the Social Security Act, 1935. One of the titles in the Social Security Act established Aid to Dependent Children. Later the grant was extended to the caretakers, and it became known as Aid to Families with Dependent Children. This safety net for impoverished mothers and children would be maintained until the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193. This act eliminated the entitlement established under AFDC.

In 1962, the War on Poverty, Kennedy's vision, was picked up after his assassination by Lyndon Baines Johnson. This ushered in the Great Society. Here we have the astonishing delivery of the greatest social welfare programs in the history of the nation—Medicaid and Medicare—and the establishment of an Office of Equal Opportunity to manage the "War on Poverty." Head Start began then. We continue to regard this initiative as an ambitious prevention effort.

The late 20th Century ushered in attention to child protection. The 'ungovernable child' was transformed into today's 'child at risk'.

The growth of the foster care system and research-based practice are distinctive features of this period. In the late 20th Century, federal policies and guidelines emerge as the essential framework for contemporary child welfare. You have a handout on the notable pieces of legislation from this era (See Appendix B).

We went back to see what was happening in Minnesota during all of these years, and we put together a few items for the Minnesota period.

In 1858, Minnesota becomes a state. The Juvenile Court is established in 1905. In 1917, Minnesota stands ahead of every state in the country. It codified its 35 laws that were scattered throughout, and it became the Children's Code. Indeed, it brought Minnesota a measure of fame. Other states began to emulate it. Minnesota's rich and excellent history is told in its annual conferences. A state conference in 1925 had as its slogan, 'a child for every childless home and a home for every homeless child'. Well, they didn't have ad agencies to help them, at the time, but they had child welfare advocates who really knew how to put a slogan together.

In our search for historical items, we discovered a most interesting letter addressed in this way, 'My Dear Ms. Breckinridge', response to a request from Ms. Sophinisba Breckinridge from the University of Chicago who in 1937 wrote this inquiry, 'Do you do anything to prepare people to work with dependent children'? The response was, 'Yes'. It went on to say that we had three courses. One dealt with dependent children and their behaviors. Another dealt with dependent children and the law. And the third dealt with the poverty of children. Concerns, as reflected in curriculum offerings, have not changed substantially since 'My Dear Ms. Breckinridge'. Who was Ms. Breckinridge? Sophinisba Breckinridge and Grace and Edith Abbott were the architects of the Social Security Act. They persuaded Harry Hopkins, who was a friend of Eleanor Roosevelt, that the experience of the Great Depression taught us the importance of a safety net. They were part of the design team of the Social Security Act. We are pleased to honor Sophinisba Breckenridge and her interest in Minnesota.

The next slide, I think, raises an interesting question. We call it the identity crises. It's the various names the State Department of Human Services has undergone. We know it now as the Minnesota

Department of Human Services. It has been known as: the State Board of Correction and Charities; the State Board of Control (counties often think of the Department of Human Services as the "State Board of Control"); and the Department of Social Security. In 1953, the state agency was known as the Department of Public Welfare. It was still deeply concerned with income maintenance as the chief item on their agenda. Then, finally in 1983, our state agency becomes the Department of Human Services and remains so until this date.

We are not sure whether it will undergo yet another transformation, but we will be watching with some interest.

It is important, perhaps, to glance very briefly at what our policy is regarding families and children. It is in one of our statutes, 'The right of all children to live in families that offer a safe permanent relationship with nurturing parents or caretakers and have the opportunity to establish lifetime relationships.' It is certainly an 'aspirational' statement.

This is a very swift glance at history. We have been fiddling with the welfare of children for a very long time. We have yet to achieve the noble goals of our family and children's policy.

Let us see, as the day progresses, whether we have raised the essential questions in our journey toward the goal.

We are very fortunate to have Cecelia Sudia share with us her observations on the Children's Bureau. She has been along time staff person at the Children's Bureau in Washington, D.C. and does have Minnesota experiences which preceded her move to Washington.

Cecelia is widely known as the person who was the architect for ensuring that children would, if at all possible, remain with the families, and if not, with other families who could nurture and protect them. The movement was called 'Family Preservation', and Cecelia was a prime mover and shaker for this important period in child welfare reform.

## *The Struggle for a Responsive Child Welfare System: The Role of the Children's Bureau*

*Cecelia Sudia, Key Associate*
*Children's Bureau, Washington, D.C.*

When Cecelia Sudia retired from the Children's Bureau two years ago, she decided to write a history of the bureau covering the last 40 to 50 years. As she prepared this presentation, she found herself changing some of her views regarding events that she had observed or participated in over the last 30-plus years. "It is agreed that this recent period has not been one of greatness. Most reviewers find [the bureau experienced] reduced capacity, status, influence, and responsibility, although they differ in their explanations as to how or why things happened.

"My first draft of events [found] fault with party politics, presidents, and presidential appointees, [and] failures of agencies to develop policies and defend them. This discussion is fun to write, and gives one a nice sense of getting even with all those stupid administrators and politicians.

"It is not my intention to try to carry the argument back to earlier times, but a recent presentation of the life and work of Eleanor Roosevelt argued that the 1935 social security [program] and other programs in effect then would have provided equity for American families had they been continued. However, as the economy improved and the war approached, other arguments for saving money were made. In the end, ADC was limited to the truly needy, as opposed to all single mothers or all mothers; housing was not addressed, and childcare was also limited to specific kinds of personal or national need. Mothers were needed to work in the war effort.

Sudia noted that the country has a "number of value issues on which there is true disagreement, and each proposal must run the gauntlet of these competing values." To illustrate, she drew on an analysis done by Bernard Greenblatt[1] on childcare, an issue which is not obscured by the "sometimes very negative values attached to child welfare." The 1977 analysis noted that there was a reluctance to provide out-of-home care for children (because people feared it could lead to communism), unless justified by reasons such as "mothers must work because they have no other income" or "mothers must work because their employment is essential to a war effort." "The outcome, still with us, is that childcare is provided only in times of national emergency or because of family need." Another important long-term value conflict is the issue of federal funding for religious groups to provide services.

Sudia said that the bureau was moving in a traditional fashion until about 1970. "There were serious and bitter disagreements in 1971 and 1972, when the Children's Bureau was reduced to two divisions, program specialists, and a research division, and subordinated as a partner to Head Start in a new agency, the Office of Child Development. The state foster care program and child welfare training grants went to the Welfare Administration, staying with the Aid to Families with

[1] Bernard Greenblatt (1977). Responsibility for Child Care. San Francisco: Jossey-Bass

Dependent Children (AFDC) program, all of which shortly became the Social and Rehabilitation Services (SRS), "the first grand plan to put welfare mothers to work.

"Although it not entirely clear why this happened, they were aligning agencies by professional content; a home was needed for Head Start; there were personal conflicts among administrators; the Child Bureau was seen as very outmoded. . . . The Child Welfare Services program was not returned to the Children's Bureau until 1978, when the SRS was recognized as a failure and the agency was again reorganized.

"Beginning in the 1970s, the reduced bureau focused on providing models for services to the states." The bureau identified successful demonstration programs and arranged for their dissemination through "how-to" conferences, regional offices, professional meetings, etc. These programs included several adoption programs for black children and handicapped children, comprehensive emergency services, and—among the most successful—permanency planning. Other promising programs were disseminated under contract to the Child Welfare Resource Information Exchange, and later, to the National Child Welfare Resource Centers. However, presenting methods to carry out demonstration programs was not sufficient to get such programs adopted to any significant degree.

Federal funding was essential to allow for truly national programs. Several were funded, including "Child Abuse and Neglect in 1974 and the Adoption Assistance and Child Welfare Act of 1980 (AACWA), which supported adoption and permanency planning. This second program was a response to the Child Abuse Program. Because many more children were being removed from their homes, it was necessary to implement permanency planning to return them home, or to arrange for adoption. Although this program seemed to work, Schorr points out that it focused on alternative placements and did not provide family treatment to return children home.

"The Reagan administration seriously inhibited the implementation of the AACWA and cut the social services money under Title XX, which would have funded the services locally. In addition, Congress had established the National Center on Child Abuse and Neglect as a separate agency, which inhibited coordination with Child Welfare. Only in 1998 were the two programs recombined, and the administrative aspects of the CWS and the CPS programs integrated.

"All in all, the combined activities of the Children's Bureau, the department, the various administrations, and congressional committees seem to add up to a sorry story.

"Programs are developed only after it is seen that the problems are serious, and most only partially address the issues. This pattern was repeated in regard to youth and runaway services, child mental health, juvenile delinquency, etc. "There is never more than lip service to the idea of coordination.

"I fault the Congress and the administrations, and see the agency as a victim, along with the people they hope to serve."

Others hold a different view, Sudia noted. She cited an analysis by Leighinger and Ellet[2] that discusses the inadequate numbers of trained social workers. Sudia agreed that a lack of well-trained social workers in public systems is a problem, but did not see that as the core problem. Calling it the if-we-just-had-enough-well-trained-social-workers-then-everything-would-be-fine argument, she said, "social workers are also subject to the overall trends of the society, and find much more status, better conditions of work and pay if they work as a specialized social worker in a private agency or child mental health center."

A helpful classification appears in "an excellent review" of reform efforts over the last fifty years by Alvin Schorr, "The Bleak Prospect for Public Child Welfare." [3] He cites three general types of reforms. The first is administrative reform. "When in doubt, reorganize. Thus they tried superagencies, which added another layer of bureaucracy without affecting services. Other attempts involved establishing community-based, neighborhood-level efforts, and still other used bottoms-up processes in planning and organization. All fine, but not much effect on helping families and children."

Second is practice reforms "Exactly the program espoused by the Children's Bureau in the development of permanency planning and family preservation. These efforts began with high optimism and early successes." However, these reforms focus on individual programs to the neglect of other critical needs. Sudia quoted Schorr as saying, "One has to conclude from the record of the reforms that discrete improvements (permanency planning, family preservation, and so forth) are subverted and swallowed up in a pathological system." While noting that she is not as negative as Schorr, Sudia did say, "it has certainly been my observation that an agency cannot address more than one program emphasis at a time. This must be related to limited funding and staff resources, including insufficient well-trained social workers."

Third is radical reform of systems. As Sudia explained, "This might involve two agencies, one agency concerned with child protection, and another which provides voluntary service programs free of the pressure and authority of the child protection services agency. . . . The primary difficulty from Schorr's point of view is that these plans envision new agencies and large new expenditures in a climate which is still cutting costs."

Sudia noted that another way of looking at this problem is that of splintering. "Services to children and families are splintered in a large number of ways, depending on the professional background of the control personnel, or of the professional training of the therapeutic system. Thus a troubled family reported or identified by the justice system, or the mental health system, or by child welfare system, or because they personally asked for help, will receive quite different attention and services even though the presenting problem may be approximately the same.

"The early Children's Bureau addressed problems of women and children (but not men) regarding health, income, parenting, handicapped children, and a range of other issues. As legislation addressed specific issues, new agencies were developed to handle the specific problem. For instance, mother's pensions became Aid to Families with Dependent Children and was administered by the Social

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[2] Leslie Leighinger and Alberta J. Ellett (March 7, 1998). "De-professionalization in Child Welfare: Historical Analysis and Implications for Social Work Education." Paper presented at Council on Social Work Education APM in Orlando, Florida.
[3] Alvin Schorr. (March 2000). *Social Service Review* 74, 124-136.

Security Administration. Maternal and Child Health, a largely medical program, was established to address the high mortality rates of mothers and infants at child birth.

"During the Nixon administration, Secretary Weinberger updated the structure of the Department of Health, Education, and Welfare, establishing agencies of like functions. He moved medically oriented services into the health service system, and family social services into the Community Services Administration. It was argued that medical programs gained through the association, but coordination of healthcare with other problems of mothers and children became much more difficult. The early response to child abuse and neglect, also under Weinberger, was difficult because several major agencies needed to work together: Health, Education, Mental Health, and Social Services. They mostly did their own projects separately. Eventually, the child welfare aspect prevailed in that the National Center on Child Abuse and Neglect (NCCAN) was assigned to child welfare, and the other agencies assumed very limited roles.

"Within the Children's Bureau, NCCAN was established separately from child welfare, splitting off reporting, investigation, and intake from the rest of child welfare. At that time, family services and child welfare services—particularly foster care—were still with the Community Services Administration. Even when they moved into the Children's Bureau in 1978, they were managed separately. And the separation continues to exist. In Congress, different committees address the funding, and a great range of separate advocacy organizations have been developed, regulations are separate, and those addressing the same issues sometimes differ in content. However, if one looks at the Children's Bureau—or more importantly, the Administration for Children, Youth and Families—it becomes obvious that all of the programs are managed separately, with minimal coordination across programs. Apart from annual pro forma meetings, Head Start is entirely separate from the Children's Bureau and from Youth Services (largely limited to runaway youth), while the independent living program for children growing up in foster care is in the Children's Bureau. Most other youth programs are in the Department of Justice. Abandoned Infants Assistance in the Children's Bureau is separate from both child protection and the Maternal and Child Health programs for children with HIV/AIDS. Other programs addressing drug-using mothers are assigned to Alcohol, Drugs, and Mental Health Administration. How did this proliferation come about?"

Sudia digressed for a moment to point out that programs for men are not family oriented. They are in the Departments of Labor, Justice, Commerce, Agriculture, and Defense. "Men are targeted for child support, but that is their only official tie. Women have all of the child-related problems, including child support if it is not forthcoming from a man."

She then returned to her question regarding the origin of this splintering. "Probably because there has been a strong resistance in Congress to funding any sort of social services programs since the 1980s, the federal agencies are sprinkled with small, specialized, ongoing 'demonstration' programs, usually made in response to an advocacy organization and a systematic lobbying effort. Congress is willing to fund new programs if it seems to be a good thing, pleases a lobby group, and does not cost very much. The programs themselves are usually of good quality, but they address only a small part of the total problem, and are not coordinated with related efforts. The original argument—that a successful demonstration program will be recognized as such and written into a major national effort—has, to my knowledge, not occurred since 1980."

Foundations have added to the difficulty, she noted, because although they have provided some help, they do not wish to replicate federal or state programs, nor do they wish to be evaluated in any public way.

Other criticisms are leveled at the current situation, Sudia noted. For instance, noted social policy researcher David Gil conducted the first national sociological study[4], and was funded by the Children's Bureau. Reporting was in its infancy at that time, so rates reported were low. However, Gil was able to show that abuse was negatively related to income. He asserted that society may impose the most serious form of child abuse, as shown in statistics on infant mortality, by tolerating hunger and malnutrition, poverty, inadequate medical care, poor education, and officially sanctioned physical abuse in schools, correctional institutions, childcare facilities, and juvenile courts. He argued that problem would be greatly reduced "by insuring that all families have an adequate level of income and housing. No one really disagrees with this point, but it has thus far been impossible, given the divided U.S. value system." Some argue that professional groups should address the problem jointly, such as professionals from public administration, family therapy and child welfare. "One cannot quarrel with the need [for] or the appropriateness of these groups, but like the other proposals, one cannot see it being implemented by the groups named."

As an example of the great variety of organizations and approaches to addressing child and family welfare—each of them developed to meet the professional view of social workers, family counselors, mental health or medical specialties—Sudia read a list of more than 70 services, with Web pages provided in a 47-page clearinghouse catalog. These ranged from Al-Anon/Alateen and the Center to Prevent Hand Gun Violence to Respite and Crisis Care.[5]

"So what is our problem?" she asked. "It involves families who do not read the papers, surf the web, or voluntarily ask for services, and/or do not have medical care plans which will begin to cover their needs. Further, we do not have public services which will meet their needs if they have multiple needs involving more than one member of the family. Let us consider two common examples.

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[4] David Gil (1970). *Violence Against Children: Physical Child Abuse in the United States*. Cambridge, MA: Harvard University Press.

[5] The complete list read by Sudia included "child protection; child fatality reviews; various disability organizations; domestic violence programs; victim assistance; missing and exploited children; runaway youth centers; effective discipline; child abuse prevention; child safety; family life development and various programs to strengthen families; children's advocacy; prevention of cruelty to children; child sexual abuse; shaken baby alliance/syndrome; child trauma centers; zero to three for infants, toddlers and families; Al-Anon/Alateen; antidrug coalition; drug policy information; drug free resources; children of alcoholics; addiction and substance abuse; alcoholism and drug dependence; Families in Action; Big Brothers; Big Sisters; Children's Alliance; UNICEF; U.N. Convention on the Rights of Children; Adoption Network; support for adoptive families; children with AIDS; foster care resources; homes for homeless; children and poverty; research on poverty; welfare information/policy; childcare work force; Center to Prevent Handgun Violence; Cyber Angels; media and the family; safety for kids; online safety; Safe Surf; developmental disabilities; mental retardation; exceptional children; Fathers Network; Parent Network on Disabilities; advocacy for educational rights; bilingual education; sexuality information and education; Attachment Center; attachment disorders; family support and children's mental health; disabilities and gifted education; justice information; sex offender management; Early Head Start; military family resources; abandoned infants assistance; education for maternal and child health; pediatric and family HIV; youth development; sudden infant death syndrome; minority health; respite and crisis care; community services for tribes.

First, "domestic violence, child abuse; and the juvenile court. This involves a woman who has been physically abused and who has been unable to protect her children. Some states will charge her with criminal neglect because she has allowed her children to witness her husband beating her. Even if not, the domestic violence counselors who are attempting to build her independence and self-esteem are very much at odds with the protective services staff ordering her to protect the children or else."

Sudia noted that there are efforts to address this situation, including a handbook titled Effective Intervention in Domestic Violence and Child Maltreatment Cases: Guidelines for Policy and Practice, written by Susan Schechter of the University of Iowa and Jeffrey Edleson of the University of Minnesota, and put out by the National Council of Juvenile and Family Court Judges, Family Violence Department (P.O. Box 8970, Reno, Nevada 89507); a chapter titled "The Future of Children on Domestic Violence and Children," produced by the Packard Foundation (in Volume 9, No. 3, of *Domestic Violence and Children*, Winter 1999); and materials developed by the Children's Defense Fund and the Child Welfare League.

Second, "a parent is mentally ill, and children are at risk, or have been mistreated. Can the protective services worker and the mental health worker consult about the family? Why not? Each must protect the confidentiality of their (same) client. Where is the family interest? It does not exist. We have a number of complex systems, but all deal with the 'identified client,' and all are locked in a professional and organizational system which dictates how an individual client will be managed according to their professional rules."

This is complicated, Sudia noted, by the requirement that family problems be resolved within 18 months, imposed by the Adoption and Safe Families Act. "Drug or alcohol or mental health treatment is almost certainly going to require more time, and I have not even mentioned the parent who is in prison."

Sudia noted that Connecticut spent three years working out a strategic plan between the Department of Mental Health and Addiction Services and the Department of Children and Families to provide services to families involved in the child protection system. Additional support materials have been developed by a coalition that includes the Federation of Families for Children's Mental Health, the National Association of Public Child Welfare Administrators, the American Public Human Services Association (formerly the American Public Welfare Association), and the Children, Youth, and Families Division of the National Association of State Mental Health Program Directions.

"All of this indicates to me that we are rebuilding the system, but it is being rebuilt around the helping professions and their constraints. Almost certainly it is expensive, and families may be bent a little more to fit into the new frameworks, but at least there will be services. With the consolidation of organizations, possibly Medicaid will be made able to pay.

"It is my contention that these are not family programs; they are fitting the family into the requirements of the professional group, and many other but less- common problems may not be addressed.

"This is the most likely future as I see it. The professional groups as represented by their state organizations will painfully rebuild coordinated services for children and families on the state—but

not the national—level. In the longer run, there may be federal laws which will address the problem."

## Reflections

*Jeanne Giovannoni, professor emerita*
*University of California at Los Angeles*

"Esther and her committee have given us a charge for this conference that's a very challenging one: to chart the course for a child welfare system that is both child-centered and informed by the tenets of social justice; to look at what are, or have been, the strategies to get us there; to look at the past and at where we might go."

### Where We Have Not Been

". . . I will be directing my comments not so much to where we have been, but to where we have not been—a little bit of the play on the common phrase 'been there, done that,' to 'been there, haven't done this.' I'd like to mostly focus on the things that we haven't done, that I see as some of the challenges that have not been successfully met, and will continue to face child welfare in any directions it might take.

"I have always believed that child welfare should properly encompass everything that a society does for and to its children—all of its children. But that is not what child welfare has meant in this country. . . , so I focus on the narrowly defined child welfare system. In her presentation, Cecilia succinctly described the gradual erosion of the functions of the Children's Bureau from broader societal issues such as child labor to the narrow focus of today, from a concern with all or most children to a group now narrowly circumscribed.

"Whether child welfare is broadly or narrowly defined is not the crucial issue in charting its future course. How well or how poorly the child welfare system can function is always interdependent with the broader societal context in which it exists, as are the children and the families it serves. The infrastructure of societal supports for families and children is inseparable from the quality of child welfare services.

"Here I might mention some places where we haven't been in the last century that deeply affect the quality of life of families and children. We have not achieved a national minimum income for children. We're probably further away from it now than we were 20 years ago. We have not achieved a national health program for children. And according to the current presidential debates, we certainly have not achieved a universal quality educational system for all children. Whatever direction child welfare might take in the future, these factors shape the context in which it must operate."

### *Abiding Challenges Facing Child Welfare: The Dilemma of Conflicting Interests*

"Let me shift now to discussion of what I think are the abiding challenges facing child welfare which stem, for want of a better term, from the nature of the beast. All of child welfare work must be

responsive to a complex interaction of competing interests: the interest of children, the interest of their parents, and the interest of their community and society. Conflict among these competing interests is inevitable. Three dilemmas, at least, evolving out of such conflicts pose the challenges I want to discuss."

One is the conflict between child welfare's function of providing supportive services for families and its mandate "to intervene into individual child and parent relationships. . . in short, taking little children away from their parents." Two is securing, "or marketing if you will," child-centered resources in an adult-centered society. Three is implementing change in the public child welfare system, where all of the conflicts are played out, without destroying the public child welfare agency.

*Conflict between Social Support and Social Control.* "The first persistent challenge concerns the dual purposes of social support and social control and the taking of coercive action. . . . Clearly, resolution of these conflicts reflects the degree of child-centeredness and the measure of social justice that guides the actions. I do not believe that there is any escaping this fact. However, I see around me evidence of attempts to do just that.

"One is the suggestion that child welfare should relinquish its investigative and coercive functions to law enforcement and the police. To me this is a cop-out, no pun intended. First of all, the police are already . . . actively involved in child welfare and family welfare, including child abuse and domestic violence. Second, I do not find in any of these suggestions to turn investigative work over to the police even the most cursory recommendations as to how the police should carry out this function. Finally, I think it is hypocritical to believe that child welfare is not a participant in social control when the ultimate fate of the children devolves to child welfare through the foster care and adoption services. Is child welfare any less an agent of social control because it simply places the children whom the police have taken away from their parents?

"There's . . . a somewhat nostalgic reading of child welfare history which posits that prior to the discovery of child abuse in the 1970s, child welfare had little or nothing to do with investigating or managing abuse and neglect. [However, child protective services has been around for a long time.] The question has been raised. . ., how has child welfare deteriorated into merely child abuse investigation? I think maybe what we might want to [ask] is not, how did child welfare deteriorate (if it's true), into investigation, but how did protective services deteriorate into investigation, if that's the case?

"What I'm trying to say is that shrinking from the responsibility of intervening into adversarial relationships between children and their parents—either by shifting some of the functions or by wishing it away with nostalgia for a time—to me at least, that never was [and] is not a viable course for the future. The challenge, as the themes of this conference dictate, is a constant pursuit of resolutions in both practice and policies which are truly child-centered, and yet still maintain social justice for the losers. Doubtless, the most excruciating dilemma inherent in child welfare work is the protection of children whose parents are themselves victims of poverty and racism."

*Conflict between Marketing Child-Centered Resources in an Adult-Centered Society.* "The second challenge" is meeting the needs of the whole child in a society that is adult-centered and dedicated to a market-based economy. "The dominant American belief is that the needs of children should be taken care of through the marketplace by their parents, and social resources should be allocated to meet children's needs only on an exceptional basis." Society is not willing "to allocate resources

simply to improve the quality of life for children." Hence, the "defeat of Mondale's Comprehensive Child Development bill, which was for all children, and the subsequent success in establishing the National Center on Child Abuse and Neglect, which is for the exceptions." In other words, specific needs of children are met only when doing so addresses a problem for adult society. For example, the "linkage of child abuse to adult criminality" was and is the best argument for garnering resources to combat child abuse. "And so it is with the identification of other problems being worthy of attention, each in isolation from the other and none perceived in the context of the whole child. This is not to imply that the problems being addressed are not real ones and ones in need of resources for correction. But in no way can this traditional way of allocating resources be considered as child-centered or based on children's needs. It is based on adult self-interests and our economic beliefs and principles," and the result is fragmentation.

"There is a self-perpetuating tendency, which flows from this problem-specific basis of resource allocation. Once set in motion, services to address the problems take on a life of their own. Bureaucratic survival and turf wars have frequently avoided efforts aimed at integration." When service integration and coordination are pursued, they have been motivated by "the interests of market principles—that integration and economy of scale can produce more efficient and cheaper service delivery mechanisms"—rather than by child-centered interests. "Behind some of the more recent efforts has been a tacit assumption that there are already sufficient resources currently allocated for child welfare services, and all that is needed is a more efficient organization and management. The challenge facing child welfare in this kind of climate is to find ways of garnering resources without selling out the true interests of children—in short, how to market child-centered services to a self-interested adult society.

*Motivating Change Without Demonizing the Public Child Welfare Agency.* The final challenge is bringing change to the child welfare system while maintaining the public child welfare agency as an institution. "All of the conflicts I have noted impinge on [the child welfare system]. I believe that public child welfare, as distinct from both the nonprofit and profit-making sectors, must remain as the linchpin of the child welfare system. . . . As we enter the millennium, we are in an age strongly influenced by the value on privatization of virtually every public function. The issues of social justice, so integral to the work of child welfare, are too crucial to entrust either to the capriciousness of private charity or to the hazards of the marketplace. Indeed some of the proliferation of special interests reflects the influences of pet charities of influential persons from private foundations, as well as those from my hometown, the silver screen.

"Certainly there is room in a well-functioning system for partnerships between the public and the voluntary sectors, but the ultimate accountability, I believe, must remain with the public sector. The challenge is to motivate change in the public sector when indicated, without demonizing the public agencies. . . . How do we initiate and implement desired changes and restructuring of the child welfare public agency, whatever the specifics of change might be, while still supporting the viability of the public agency in making those changes?"

## Commentary

*Clarke Chambers, social welfare historian*
*University of Minnesota*

"I will . . . try to set in a large historical context the policies and programs in child welfare in the United States over the past century or more. But my strategy will be wholesale more than retail. I really want to look at what historians came to call the cultural context, the whole culture: ideology, systems, structures, and that sort. I wish therefore to reflect briefly on the social, economic, and ideological systems and structures that have formed that cultural context in which the welfare of children in this society has been considered and defined."

Historical Context of U.S. Child Welfare Policy

*Radical Individualism and Assumed Beneficence of the Market.* "Radical individualism underlies the way this country has come to social policy—not only child welfare, but in all other segments as well—and it's that I want to elaborate upon. As the eighteenth century gave way to the nineteenth, other related precepts were added to what would come to be by 1900 an American consensus on basic principles and values: work, certainly, work; thrift, saving one's money and investing it; glorification of the impulse to endeavor, to strive; an open opportunity for all, presumably to get ahead or at least to keep up with the Joneses. Part of that also was the assumed beneficence of the market. Read nineteenth-century politicians, pastors, educators—go anywhere you want—and it is that sense that the marketplace would care for the nation, that the open competition of the free market presumably would move towards progress and toward justice. Added to that is a sense of individual self-reliance. Each boat on its own bottom, as the nineteenth century used to say. Emerson, our most American philosopher, used to talk about the self-reliance of the soul, and that would come into the American spirit and the American consensus of how things were structured. And then, of course, later in the nineteenth century, we borrowed from Darwin the struggle for existence and the 'survival of the fittest.'"

*Emphasis on Limited Government.* "It seems to me when we try to confront the problems of child welfare in 1850, 1900, 2000, that in a very basic way those systems of thought are still there. Structurally it meant an emphasis on limited government. We've never cared for government. An elevation of states' rights and the primacy of local government—based on the Elizabethan poor laws, to be sure—but in the experience of the early nineteenth and twentieth century as well. And always that faith in the market to distribute rewards fairly, to advance, in the long run, progress and justice. I remember that I could amuse sophomores in the survey of American history by quoting Calvin Coolidge's classic tautology. "The business of America," he said, "is business." Sophomores loved that. It appealed to their cynicism (and there was just a touch of that in the professor as well, I must admit). But I've come to have greater admiration for that statement. It's brief. It's to the point. It may be tautological, but it's basically true. The business of America is business. How much that notion of the marketplace has entered into discussions on social insurance, child welfare, whatever.

"The French Revolution proclaimed 'liberty, equality, and fraternity.' The slogans of the French Revolution went like wildfire through Scandinavia, England, and Europe. Fraternity often came to mean in the nineteenth century, unhappily, a nation in arms. The fraternity of soldiers. But it also encompassed an intensive, an intuitive, sense of community, of mutual and reciprocal obligations. It implied a sense of social compact that groups in society owed things to each other. There was a responsibility for—[as] we say in the Constitution of the United States—the promotion of the general welfare.

"But in America, the emphasis ran down the individualistic side, not the social side. America in the nineteenth and twentieth centuries never had a viable social democratic movement. . . . America never had a left. When I listen to television, . . . . they keep talking about the right-wing and the left-wing. There's no left-wing. Europe had a left-wing. Europe had a viable tradition of social compact, a sense of social democracy, which largely has been lacking in American history.

"It's interesting to me—and you'll see at what a high level of generalization I'm proceeding—that America. . . placed the highest priority for its children on education, not on welfare. It was our schooling. And I think that reflects the same thing that I've been talking about. Education was designed to educate each individual, who would then seek and earn his own reward. I use that male pronoun on purpose. The male pronoun fit those generations, for society expected men to strive and men to win and men to take the consequences of their failure. The marketplace was harsh and cruel. It promised progress in the long run for those who were worthy. And there we run into another tautology, of course: the "worthy" were those who survived and those who survived, were presumed to be worthy. Those who never quite made it in such a highly competitive and individualized system were naturally assumed to be unworthy, and if unworthy, there was always the question, were they worthy of the support of the community?"

Social Welfare Consequences

"The system had practical consequences. In the United States from 1900 to 1910, 25% of children aged 8 to14 were 'gainfully' employed. Now that does not count the farm kids who helped with the chores; that was hard work too. But these were children aged 8 to14 who were gainfully employed. They got a pittance—they got a wage. It wasn't much, but they were 'gainfully' employed. That was a higher percentage of any industrialized nation in the world. Efforts to regulate or prohibit the employment of child labor were conducted mostly at the state level. Although there were two attempts during the Wilson administration to regulate—in very modest terms—the employment of children, most of these laws, the two national laws and many of the state laws, were routinely struck down by the Supreme Court as illegal impediments to freedom of contract (a phrase that appears nowhere in the United States Constitution) freedom of contract being essential to the operation of a free market in a capitalist society. If children were to be protected in a labor place, that would interfere with and deny the freedom of labor to contract for labor on their own terms without the intervention of the government.

"It was not until the late 1930s that the Supreme Court was persuaded to uphold the Fair Labor Standards Act of 1938, including its clauses prohibiting the employment of children. 1938!

"Although the United States leads the world in expenditures per capita in health, this nation ranks 23rd in its provision of health services for its citizens. We spend lots of money, but there we are, 23rd. Here we are the richest nation in all human history. There's been no society, there's been no

place as wealthy, as affluent as the United States of America from1950 to 2000. United States ranks 23rd in the provision of health services for its citizens, in which children are represented disproportionately, as those of you who are in practice well know."

The Issue of Race

"Complicating this very wholesale commentary on American history, the broad sweep, has of course been the force of race. England, Scandinavia, Germany, France did not face—until very recently at least—that chasm between races.

Slavery. After slavery, discrimination—legal and social, formal and informal. Opportunity was proclaimed for others, and—related to race of course—denied to the American Indian, the original natives of this continent. And beginning in the late nineteenth century, there was a great migration to the United States, Canada, and elsewhere of immigrants from southern and eastern Europe, and to some degree from the Near East and Asia. They came in enormous numbers during 1880, 1920, 1925, until Congress established quota systems. There were divisions along ethnic lines as well. African Americans, American Indians, Italians, Greeks, East European Jews were perceived by those generations as outsiders, alien, different, not fully American, and therefore not fully entitled to the concern and the protection of the republic. Majority America--and by majority I don't mean demographic alone, I mean those who were in positions of influence in government, in business, in religion, and so forth--usually perceived these minorities of color, these strange immigrants coming into America, as different. And if they were different, they were not part of America. We know that . . . not only in the South—but particularly in the South from1880 to 1970, and still—that children of black families were not part of the regular welfare system, either public or private. African-American communities in the North or the South had to develop their own self-help societies to help their own people. It was not until gradually in the private sector that society came—reluctantly as I see it—to see that all peoples were part of society, and deserving of that protection and that encouragement."

Social Welfare Progress

"There were then some, many, who embraced differences and sought to protect children, all children, and advance their welfare . . . Jane Addams, Florence Kelley—oh, Florence Kelley, her name should be shouted—the Abbott sisters, Grace and Edith (Grace was the second chief of the Children's Bureau after Julia Lathrop), Francis Perkins, beloved Sophonisba Breckinridge, Eugene Debs. Associations were organized to advance these causes, and the National Child Labor Committee, the National Council of Churches, the Child Welfare League, and into the 1930s (so often we forget this) organized labor the CIO (Congress of Industrial Organizations) being one of the most influential organizations to be concerned about the welfare of all children in this country. Added to those was a cadre of grassroots social work leaders, educators, and practitioners—folks like yourselves, active for so long particularly in the private or voluntary sector, persons who witnessed, persons who knew first-hand what the real problems of children were in this society, and tried to stumble their way toward possible enlargement of welfare and justice of those who had been denied.

"One sees in the measure of child welfare in that era that we call progressive, from 1900 to1920, partial and uneven success against enormous odds. I think it's still consistent with the main theme I'm trying to suggest this morning: that times—at the national level particularly—for true imaginative, creative initiatives in child welfare or social welfare generally are relatively brief. Take

FDR and the New Deal. Certainly the Social Security Act of 1935 is the key act there. The New Deal really had three or four years. It was really 1935 to1938 or 1939 that all of the accomplishments—Fair Labor Standards Act, prohibition of child labor, ADC social insurance—came. Then the New Deal gave way to defense; the war was there. Or, when one looks at LBJ's (President Lyndon B. Johnson's)-war on poverty and the initiation of civil rights legislation for the first time in a century, the time was briefer yet. The war on poverty lasted two or three years—1964, '65, '66—and then a fighting war in Southeast Asia came to take precedence. I would suggest that Coolidge and Reagan were the norm; Roosevelt and Johnson were the aberration. That's not a nostalgic thought, let me tell you."

Strategies Underlying Advances in Child Welfare

"I wish to end briefly on another note. When advances in child welfare came, how did they come? What were the underlying forces or strategies? It seems to me there were three, each one broken up and complicated of course.

"First was by the imagination and daring leadership of a cadre of leaders who studied and recognized what had to be done . . ., a saving remnant. They are the names I mentioned earlier—Homer Folks, Jane Addams, Florence Kelley and the like. They helped to define. They raised new questions. They publicized. They lobbied. They were a small group, but they exercised influence far beyond their numbers. It was the work of such persons in the teens and twenties that really made possible, in my opinion, the breakthroughs in welfare during the New Deal depression years of the 1930s.

"Second. . ., there was hard work at the grassroots—or what I suppose we have to call the asphalt level of American society—by professionals, persons much as yourselves, who witness what they know from their practice and work to reform and to ameliorate and do the best they can from day to day and year to year under very trying circumstances.

"Third, and more rarely, were the mass movements that flared up and cohered and demanded reform, freestanding voluntary associations in the late nineteenth to early twentieth century that worked at the local level, at the state level, at the national level. Disinherited farmers and laborers in the 1930s provided the popular foundation for the New Deal. Organized labor in the thirties, forties, fifties and sixties played a central role in moving forward the agenda of civil rights and of human rights. Labor was organized most effectively through the CIO at that time, which was dominated by persons who had been excluded because they were new immigrants from southern and eastern Europe, or they were of African-American descent. They were the actionists. Labor played this role on the national level of politics at least, and in many states here in Minnesota and Wisconsin and New York and elsewhere. A part of that movement provided the energy for reform in the mid-sixties—Medicare, Medicaid, civil rights, voting rights. The poverty legislation came of course from a nation aroused by African-American leaders and their allies in the civil rights movement—Martin Luther King and all of his allies. That was a popular movement that carried influence and success in the mid-sixties."

"It's a hard road, as Grace Abbott reflected—she of the Children's Bureau—at the end of her long and distinguished career. She had the rug pulled out from under her by the Hoover administration in 1929. She said to a commencement of college kids in 1934, 'It was uphill all the way.' Let me end with the full quotation. 'Perhaps you may ask,' said Grace Abbott, 'does the road lead uphill all the way? And I must answer yes, to the very end. But if I offer you a long hard struggle, I can also

promise you great rewards.' And so my wish for you in this conference, where you have the chance to share and to define and to set an agenda: keep on walking, even if it is uphill, and may you win great rewards for the children of America. And for yourself, the satisfaction of a job well done. Keep on walking.

## Challenges from the Front Line: A Contemporary View

*Denise Revels Robinson, director*
*Milwaukee Bureau of Child Welfare*

Because Denise Robinson was unable to attend this conference due to illness, Esther Wattenberg presented observations Ms. Robinson had made during a discussion they had on the current status of child welfare.

Pervasive Poverty Largely Unattended

"Let me tell you a few things that Denise shared with me. She said that she had been really struck by the depth of problems that existed in certain parts of Milwaukee; that, in fact, while we are in a generally affluent economic status, none of it had penetrated a very large number of communities within Milwaukee, one of our greater urban centers. Drugs, homelessness, poverty, and death are the common traumas of many of our children. . . . The parents' incapacity to care for a child has long, deep, complicated roots, and our social service strategies are in many ways really quite limited. What she is struck with is how the basic human needs of shelter, income, health in fact are not directly dealt with.

"Further, she has perceived an attack on the public agency as not really having the capacity to do anything to change lives and services. She was struck with a deep pessimism that the public at large had what she almost described as a lack of confidence that public agencies knew how to do it. . . . She felt in fact that Milwaukee's failure was a sense that our major social institutions were simply not addressing the needs of children, and that was a much larger issue than a child protection agency could really address." When the State of Wisconsin took over the child welfare system in January 1998, one of the biggest challenges was to restore the public's confidence in the Milwaukee County child welfare system.

"Her description of the poverty that existed in the neighborhoods struck me as being so central to what was happening while she was engaged in making sure that investigations were deemed done properly. She was dealing with what a major social agency and child protection routinely has to do, but meanwhile, the poverty issues were really quite extraordinary."

Excessive Caseloads

"Denise was also greatly concerned about . . . racialization of the caseloads, increasingly African-American and other children of color. When I asked Denise her theory about why this happened, we went on to discuss whether it was poverty, whether it was family structure, whether it was deeply rooted in essential racism which inadvertently plays itself out in the decisions that are made in caseloads. That question, of course, remains for our nation. Data from Hennepin County in 1995 revealed a pattern of frequent and multiple placements of children of color: 39% experienced three

or more [placements] during the six months of the study; 35% of the infants experienced three or more placements again; 48% of 3- to 5-year-olds had more than three or four placements; 6% of the children had been in six placements. At the end of the six-month period, 75% of the children were still in care with incomplete plans. Has there been much change?"

Situation in Hennepin County

Wattenberg then asked if there was anyone present from Hennepin County who could answer that question.

Sarah Maxwell, a division manager for Hennepin County Children and Family Services Department, was in the audience and responded: "I think over the last five years, we've made marked efforts to reduce the number of placements that our children encounter when they do come into our system—one, by stressing the kinship search process and trying to identify family and kin; and two, by looking at attempts to specialize our services for children using the child services model so that kids have a worker whose focus is on them in placement. . . . Our recent outcome studies demonstrate that we have made progress in that area, but it doesn't mean we don't have a ways to go, and we'll continue to do that."

Is Poverty Child Endangerment?

Wattenberg then continued, saying Robinson raised the questions, "What is child endangerment? Is it really homelessness? Should that be the first thing we note about child endangerment? . . . Thirty percent of the families that she's now dealing with are now receiving some type of welfare benefit. These families are being served primarily with in-home services, where the child has not been removed from the home. They are living in poverty circumstances. Is that child endangerment? . . . She thought that was the challenge for this group—to redefine the term [child endangerment] and include the basic human needs."

An Evaluator's Observations

Wattenberg asked Mark Courtney, associate professor in the School of Social Work and the Institute for Research on Poverty at the University of Wisconsin at Madison, to offer some observations on the situation in Milwaukee, since he has been on the staff of an evaluation team for the Bureau of Milwaukee Child Welfare.

Legal Action against Child Welfare Systems.

"I want to briefly use Milwaukee as an example to emphasize some of the things that have already been said here this morning by other folks." Courtney noted that a lawsuit was filed against Milwaukee to force it to improve services. A group of people in the ACLU—which now has its own organization called Children's Rights Inc. (Marcia Lowery is the director)—filed a lawsuit, "but before it actually went to trial, the plaintiffs and the defendants decided that the state was going to engage in some reform efforts.

"From my perspective, I think it's important to understand that if the reform doesn't work in Milwaukee, it won't be because court intervention is not—at least in Milwaukee—a reasonable way in which to get reform. It would be because the managers, the people who are doing the reform in

Milwaukee, don't manage to pull it off in some way. Because clearly. . ., money is one issue, and you can't overlook the fact that the State of Wisconsin has put thirty million dollars a year more into the child welfare system in Milwaukee because of the lawsuit.

"Why was the lawsuit there? The child welfare system in Milwaukee, by all accounts, was a dismal failure. It was not meeting the needs of children and families—horribly understaffed, absence of services, [poor] response to calls for child abuse investigations. . . . In fact, the lawsuit was brought on because the county director of Children's Services was so frustrated that he essentially went to the legal advocates and said, 'Sue me, and while you're at it, sue the state.'

"Like Minnesota, Wisconsin has a state-supervised, county-administrated system. For a long period of time, from the county's perspective, the state had been starving Milwaukee County. The Title IV-A foster money that was being claimed from the federal government to serve children in Milwaukee County was not all going to Milwaukee County. Let's say half the money being claimed from the federal government was generated by children being in care in Milwaukee County. They were getting a third of that money. . . . I think everyone would agree that it was a dismal situation. The state would blame the county; the county would blame the state, but I think everybody had a role in it. The bottom line was, it took the threat of federal legal action to motivate the state to do something.

"What the state ultimately decided to do was take over the system from Milwaukee County. We can debate whether that was the appropriate response, . . . but the bottom line is, there's now a lot more money in the Milwaukee County child welfare system."

Courtney emphasized that he believes it is important to maintain a federal role in child welfare policy, particularly in basic child protection. "There would be no means for the reform that happened in Milwaukee County in the absence of that federal law. We came very close to losing federal child protection statutes. The original welfare reform bill passed in the House of Representatives and vetoed by President Clinton would have essentially repealed all federal child protective legislation for all intents and purposes, and there would have been no grounds for that lawsuit in Milwaukee County."

Consequences of Having a Residual Welfare System.

Courtney also stressed the importance of the question, "How could it go for so long and be so bad in Milwaukee County? I think the answer is that we have a residual system of supports for children and families in this country. . . . The child welfare system is seen as a system that's there for people who have failed in some way. . . . That group of families is a horribly stigmatized group of families in this society, and is a nonexistent political constituency for all intents and purposes. It was very easy for the State of Wisconsin, for the governor of Wisconsin, to ignore the problems going on in Milwaukee County, because outside of Milwaukee County, nobody cared what happened. They were poor people, and by and large they were African-American people, who were being served by that system. . . . There isn't a big political constituency for those folks. . . . It gets back to that issue of radical individualism, and the fact that we have a residual child welfare system."

Themes in Reform

"Now onto the reform. The reform shows some other important themes.

*Privatization.* The state solution to reform the child welfare system in Milwaukee is to privatize virtually the entire system, with the exception of the investigative function. They've essentially contracted out almost everything, except the state workers actually do investigations and do assessments, and decide whether children get referred to in-home services [or] out-of-home care."

*Need for Economic Support.* "The other theme that jumps out of this is the disconnect between basic supports for children and families—particularly economic support in this country—and child well-being and child protection. How radical is that disconnect in Wisconsin? Well, the State of Wisconsin engineered both welfare reform in Wisconsin, and child welfare reform in Milwaukee. [Milwaukee was divided into six areas for welfare reform (Temporary Assistance to Needy Families, or TANF), and five areas for child welfare reform, which do not correspond to the six TANF districts. This] raises serious questions as to how divorced the discussion is of reforming economic assistance in this country from the discussion about protecting children and preserving families. . . . I think that's fairly typical of what goes on in this country. And it's creating real problems for Denise and the folks on the child welfare side. . . . Access to those services is very important for public child welfare authorities. The child welfare folks in Milwaukee are finding that they have to generate those services on their own even though the populations are very similar."

*Need for Outcome Evaluation.* "In spite of the fact that everyone involved in the system really wants to do the right thing, there's still a real unwillingness to look critically at whether what we're doing makes a difference in a concrete way. Private providers are somewhat wary of having their work evaluated. Public child welfare workers bemoan the fact that there's an increased focus on outcomes. I think that's a problem that the field suffers from. One of the things we can do as a field is get much more serious about demonstrating that what we do actually makes a difference in concrete ways for children and families. If we were able to show that providing substance-abuse treatment services to the huge numbers of young women who have one or two children and are really having a hard time parenting their children for that reason . . . enabled them to parent, we could make a case for more resources, but we haven't made that case."

## Award to State Senator Robert Tennessen

*Sandra Gardebring, vice-president for university relations*
*University of Minnesota*

After lunch, an award was presented to former state senator Robert Tennessen by Sandra Gardebring, vice president for university relations at the University of Minnesota. She noted that

Senator Tennessen "has been a champion of social justice issues on a variety of fronts the whole time I have been a Minnesotan, and I am very proud to be a part of the process of honoring him here today. I come to this discussion of privacy and children and the larger issues of society as both a former child welfare bureaucrat and a former judge. From these two perspectives, I observed that there is a kind of tension in American society. On one hand we are highly individualistic—we are committed to personal independence and to the concomitant levels of privacy—and on the other hand, we expend significant energy directed to protection of children and other vulnerable people in our society. As a function of that commitment to children and people, we sometimes intrude into the other half of our psyche, that independent, private, highly personalized half that we value so much.

"Supreme Court Justice William O. Douglas said in 1966, in a typical dissenting opinion, 'We are rapidly entering the age of no privacy where everyone is open to surveillance at all times, and where there are no secrets from government.'

"What Justice Douglas did not foresee when he was worried about this issue in 1966 was the creativity of Senator Bob Tennessen. Senator Tennessen concluded in the early 1970s—partly as a result of his work on the federal Privacy Protection Study Commission (see Appendix C) that it's okay, in fact maybe it's sometimes even necessary, to gather and collect information about people, but that information belongs to those people. We need to tell them that we are gathering it, and we need to tell them what we're going to do with it. Thus was born what came to be known to all of us in this business as the Tennessen warning (see Appendix D). Bob's work should not be acknowledged just for its specifics with regard to the gathering of personal information, but because his decision to push forward on this issue represented the principle that embodies a very important element for democracy: that government power, even when wielded for good, and even with the best of intention leaves a significant balance in check. Those of us who live in Minnesota and worry about both the needs of families and children and also the big stick held by government are grateful to Senator Bob Tennessen.

"This award really is in recognition of all the work that he has done on the agenda of social justice for children and families, and I want to read it to you. It says, 'The Center for Advanced Studies in Child Welfare, School of Social Work, University of Minnesota, honors Robert J. Tennessen, Esquire, in recognition of your outstanding contribution to safeguarding the privacy rights of families served by the child welfare system.' "

Senator Tennessen accepted the award, saying, "Professor Wattenberg asked me to make a couple comments about the origins of the so-called Tennessen warning. . . . The origins are fairly simple. They lie in the research work that was done back in the late 1960s and early seventies." Tennessen said that a task force working with Elliot Richardson when he was Secretary of the Department of Health, Education, and Welfare on the Social Security Administration's use of a universal identifier to link all governmental records and to track people caused a great deal of concern among those of us who are old enough to remember that period.

Another task force attempted "to develop a way of protecting individual interests and rights and information in this information age. They tried to come up with some principles that would work. Let me just cite them briefly," for they are the basis of the warning.

"There must be no databank the existence of which is secret. There must be a way for individuals to find out what information there is in a record about them, and how it's used. And there must be a way for individuals to defend information about them collected for one purpose from being used for other purposes without their consent. There must be a way for individuals to correct the information that's in their record about themselves. And the organization collecting and creating and disseminating the data has the responsibility to assure that it's accurate and reliable. Those principles were incorporated in the Privacy Act of Minnesota, the so-called Tennessen warning (Appendix D).

"The question about the motivation is more complicated. At the heart of it, I think, is the idea of trying to protect the rights of individuals in a society in which we have to deal with the government at many levels. And it's an attempt to balance the interest of the individual with the need for the government for information, or to operate programs such as the program you're involved in everyday. The government is very powerful in many ways. It can coerce you to provide information about yourself for a variety of reasons, some good. [The Tennessen warning] provides a right of citizens to try to make sure that that information is provided for the one purpose which they agreed to, and is not used for other purposes without their consent.

"Twenty-six years ago, when this Act was passed, we were not quite as far along in the profiling of information about us and use of that across boundaries as we are now. But it was becoming pretty obvious that we needed and collected and used information almost every day about our citizens for legitimate purposes, and that we also needed to have some way, in statute, to protect those interests. . . . In any system in which the government collects a lot of data, you need some way to help individuals assert their rights and protect their autonomy to the extent that it's possible in that society. The Declaration of Rights doesn't do that. You need either a statute or common law to do that. . . . When Esther asked what my motivation was, it's hard to say. Personally, I don't like arbitrary power. I don't like individual citizens not having the ability to protect themselves from arbitrary power or coercion, and that's what it's about. It's trying to find a balance in an information society between what government needs and what citizens need to provide, and that's why it's incorporated in a statute."

## The Current Crisis in Child Welfare: What Can Be Done?

*Mark Courtney, associate professor School of Social Work and Institute for Research on Poverty, University of Wisconsin at Madison*

In this question–and–answer session, Esther Wattenberg posed questions for Courtney.

Q: "What does the increasing focus on privatization, managed care, and performance measures mean for the future of child welfare?"

A: "There is nothing new about privatization in the child welfare system. In fact, child welfare services historically were private services, voluntary services—particularly out-of-home care, group care, therapeutic foster care, etc. . . . What is newer is the focus on performance contracting, managed care, the implementation and integration of managed care principles into child welfare services delivery. That poses a challenge for people in the field.

"Motivations for that movement are mixed. On one hand there is a legitimate fear that the movement toward managed care, performance measurement, etc., is really just about cost containment. . . . We have to be concerned about the use of those tools simply to save money. We need to be particularly concerned because we don't really have a consensus in this country around what outcomes we want to achieve with the child welfare services system. We've had a number of people talk about how difficult it is to balance the demands of child protection with the demands of family preservation. And then, child well-being has really been a footnote in the history of child welfare services in this country. . . . On a real, practical level, we're confused with how we want to balance these things.

"As long as we muddled along . . . on the basis of good practice and practice wisdom and professional judgment, [in a way] we made those balancing decisions on a case-by-case basis. . . . Or maybe they changed because there'd be a horror story in the newspaper. So for a time we would focus more on keeping children out of foster care because the latest horror story was that a child died in foster care. Or we'd focus on putting more children in foster care because the latest horror story was a child was seriously injured by his or her family after we tried to work with the family. Managed care and the focus of the federal, state, and local governments on these outcomes means that we're going to have to struggle a lot more with how we balance these things, and with exactly what balance we want to reach. Now we're going to quantify everything, and managed care is a ruthless tool. . . . You could have a [sizeable amount of] bad, unintended consequences.

"The good thing about the focus on performance and measurement and outcomes is that it will give us information on what our work is actually achieving. There's a new report that's going to come out from the federal government, a broad national study of family preservation programs rigorously evaluated, and it's sobering. It does not show these programs to either prevent placement of children in out-of-home care or to reduce the rate of re-abuse of children who are given these services. Does that mean that I think we give up on helping families? No. But I think it means we need to get a lot

more serious about . . . the unique constellations of services we need to bring to bear to help them. And then what kinds of outcomes we are trying to achieve. . . . If managed care makes us do that, then that's not necessarily such a bad thing."

Q: "Would you share some observations about the movement of kinship care. . . . I assume that everybody knows that one of the recommended procedures in our child protection system is a search for kin as a first step toward permanency. In Minnesota's legislation, 'kin' is extended to friends who have had a long-time relationship with the child."

A: "I think it's a poor reflection on the system that it took [a crisis] such as being overwhelmed [for us to say], 'We have to find somebody who we can place these kids with,' for us to appreciate the role of extended family as a placement resource for children. That's a real indictment of our child welfare system, and a rather archaic view that if a child is maltreated by a parent, then clearly the rest of the family is pathologic and we should have nothing to do with the rest of the family. That's the legacy that we're dealing with, and it's good that we're finished with that legacy.

"Kinship foster care is a complicated area. There is both kinship foster care for children in the system, and extended family groups caring for children outside of the child welfare system. The government's been involved in those family groups in various ways for quite a period of time. For instance, AFDC funded child-only payments, so children lived with relatives and weren't in the foster care system, and people cared for children without any government support. But kinship foster care is a different bird, and I think this is an excellent example of how we have a hard time reconciling the competing demands of child well-being and child protection and family preservation.

"Children in kinship-care placements are much more stable. They are not bouncing around from place to place nearly as much as the children placed in foster family homes, group home, etc. That's a good thing, right? On the other hand, children in kinship care stay in the system longer. The likelihood of them being adopted or reunified in most places in the country is lower, all else being equal, than if you place those children in a foster family home. . . . So that's been a real conflict for our system. I think kinship care is a great option, but we have to get clear about what we mean by family preservation. Is it acceptable? Is it a good thing for children to be in their extended families? I think that in general it is; unless there's a threat to child well-being, that's where children should be. What should the government's role be in that? That's I think what we're struggling with right now. The child welfare system backed into kinship-care policy trying to save the system. . . . As long as you wait until things are bad to provide support to children and families, you're going to have inherent policy conflicts."

Q: "Do we know very much about the child-only grants? It is where a child is on an MFIP (Minnesota Family Investment Program) grant only, but the caretaker is not? An Urban Institute study reports that about 30% of all those who remain on public assistance are really these children."

A: "The child-only caseloads continue to grow in the wake of welfare reform, while the rest of the public assistance caseloads decline. . . . These programs vary radically from state to state. . . . One of my big concerns is the use of child-only grants as a diversion from the child welfare system. . . . What we're doing in most places in Wisconsin is using a sort of bait and switch. We're saying if you have a relative who can take this child in for $215 a month, we'll get out of your life, without explaining then that we are literally out of your life. You will get no help from us, and moreover, if all of your children get placed in this kinship care, you're no longer eligible for assistance under our

TANF program, so you can't go there to get help with your substance abuse problem or with your mental health. I'm doing a study in Milwaukee of W-2 applicants, TANF applicants. Half the women that we talk to are clinically depressed, and they acknowledge that they want help. If their children go into kinship care, they are not eligible for help, either from the child welfare system or from the public assistance program in Wisconsin."

Q: "Taking into consideration the complex interrelationship between child protective services and a host of other public systems, what role should the public welfare agency play vis-à-vis the community? What do you think of the devolution that's taking place, placing child protection duties at the neighborhood level, with community agencies as chiefly responsible for child and family well-being?

A: "In principle, I think neighborhoods really ought to be the place where families go for help, voluntary support. . . . And I think without a lot of resources and support, there are a lot of communities that will be hard pressed to meet that challenge. In some ways it could be dumping, and that is problematic.

"What role should child protective services play with respect to the community? I really fundamentally believe that right now, because of welfare reform, we have a unique opportunity. States like Minnesota are really among a handful of places where this can happen. It's a real opportunity to devise systems that demonstrate what it really takes to allow low-income working people to safely parent their children. The child welfare system cannot do that. The child welfare system will not be able to do that in a systematic manner. It's not designed to do that. It doesn't have the resources to do that. But I think if the child welfare system and some of these other human service systems can work together with those TANF agencies in some places and demonstrate what it takes, then when the federal policy wheel comes back around to, for example, the reauthorization of TANF, we'll be able to make an argument for doing some of the things that need to be done in order for the child welfare system to work. . . . If we don't do that, then I don't have a very optimistic view of the child welfare system in this country, because our system cannot do it on its own."

Q: "A final question. The health of the economy is one of the prizes of our past 10 years, and we've seen all kinds of caseloads drop substantially. Is this effect reflected . . . in child protection? Do we have fewer children now in out-of-home care [as a reflection of a robust economy]?"

A: "No. We have more children in out-of-home care nationally. . . . There have been a couple of good studies that looked at kids entering out-of-home care. One done in five cities looked at African-American kids entering out of home care. [Of these children], 40% had parents who were homeless or in wholly inadequate housing at the time the children were placed. Clearly, that was the reason these kids were in out-of-home care. Well, our child welfare system is not going to solve that problem. And unfortunately, housing policy in this country has been going south for a long time. One thing this state might want to look at—and other states need to look at in terms of the disproportionality issue—is the effect of housing discrimination on the ability of African-American families to care for their children. If you look at census tracts in inner cities, particularly where African Americans live, you'll find the census tracts with the highest proportion of people who are

paying 50% or more of their income for housing. It's very difficult to survive when you pay 50% of your income for housing. There's a lot of things like that out there. . . . This is an example where the market clearly has not solved the problem. We've had a booming economy now for 10 years, and the market, in and of itself, has not solved the housing problem for low-income people in this country. So there clearly needs to be some sort of government intervention. There are other countries that do a much better job of providing housing for low-income people."

Q: "Should we be very concerned about 2002, when we'll see the first big wave of people who will not have the safety net of a public assistance program?"

A: "In some places we should be concerned. That's really where the rubber meets the road, when people are cut off from public assistance. But I'd be more concerned about the time we have a recession. . . . It remains to be seen what will happen if there's a significant increase in unemployment and people are not able to work. And many people in the low-wage labor market. . . are not eligible for unemployment insurance, so they will very quickly be without an income. I think I'm more concerned about what happens in a serious recession than I am about time limits per se. You can finesse the time limits. If it's really a problem, states can exempt up to 20% of their caseloads. States' caseloads have gone down so much now, you can exempt practically your whole caseload from time limits. So, there's ways to get around that. It's harder to get around a recession."

## A Comparative View of Child Welfare: Britain and the United States

*Michael Little, visiting professor at the University of Chicago and Faculty at Dartington*
*Social Research Unit, United Kingdom*

"I often wish America could see itself as others see it. I was reminded of that last night watching the TV coverage of an execution in Texas. If you could see yourselves as the rest of the world sees you, I wonder whether some of these practices would continue. It doesn't escape our notice from afar that most of the people being executed are African American. If you could see how we see you when we look at the Elian Gonzalez case, if you could see how we see you when the President of the United States talks about an innovative policy—safe guns for kids. It might seem sensible in Washington, D.C., but it doesn't seem as sensible when we hear about it in Europe.

"There are differences between our cultures. The key difference is poverty, about which we've heard so much at this conference. I was in the Hubert Humphrey garden[6] a few minutes ago reading one of his quotations, 'The gap between rich and poor is the greatest threat to world peace.' And certainly the gap between rich and poor in the United States seems to undermine so much of what you've been talking about here today.

"I think we have a much more cohesive sense of society in Europe. It seems to me that often when you talk about children you are talking about other people's children, whereas in Europe we tend to be talking about the children that *we* have brought up, that we have responsibility for. All of these children are our responsibility.

"There are other differences as well. We don't have a constitution in England. I have actually more rights here in the United States as an alien than I do as a citizen of the United Kingdom. It's never been a huge handicap actually. I've never had to worry about that too much. It's interesting to me that although you have more rights, you are also very adept at taking these rights away. For example, you separate more children from their parents than any other nation in the Western developed world. So some people have rights, others don't. We don't have any rights in the U.K., so we have nothing to take away. And we separate far fewer kids from their relatives, and when we do, they are usually looked after under voluntary arrangements, and in all but a few exceptional cases, parents retain their rights."

Little described his employer, Dartington Social Research Unit in the United Kingdom. He said it is the "U.K.'s designated center for the study of children in need," one of seven designated centers to study different aspects of health policy. "Our mission is to produce high-quality, scientific evidence applied to policy and practice." They undergo rigorous scientific review every four years, and are known for the way their research is being used to frame social policy in the U.K., for example in the area of child protection. Dartington also has a development center, applying research with

[6] A sculpture garden located outside the Hubert H. Humphrey Center at the University of Minnesota.

practitioners, that operates in the United States, Spain, and the U.K. In addition, there is a dissemination center and an information design center "because conveying these messages is part of the battle of getting research into practice."

Differences in Approach to Child Welfare

Little then noted differences he has seen while working at Chapin Hall Center for Children at the University of Chicago for the last nine months. "Let me talk around three issues: first, concept; second, law; and third, some empirical findings.

*Concept.* "There is very little attention to concept here in the United States. Most of my work at Chapin Hall is about trying to work out a series of workable concepts for children's services, not just here in the United States, but also in Europe and other places where Dartington works. I'm going to give you two examples of what I think can help and why I think it's important, and why we pay so much attention to it in the United Kingdom. . . . There are 150 communities in England. Each of those communities has to find out how many children are in need in that community and what needs the children have. They then have to design a series of services to meet the needs of those children. We don't start with the premise that we have a series of services in place, and you have to get the kids in there regardless of what their needs are. We start by finding out what those needs are. We think that makes a huge difference to the way in which we think about children, and the way in which we approach them."

Another aspect of concept is outcome. "Outcome is the driving issue in our approach to children, and we're talking about outcome for the whole child. At Dartington, we talk about living situations, family and social relationships, physical and psychological health, social and antisocial behavior, education and employment. We measure children's progress in all of these areas, and we want to know whether children are progressing well or badly against set criteria. We're not interested in caseloads going down or up—we call these outputs, not outcomes. We're interested in whether the child is better off at the end of the experience than they were before. We are interested in children's well-being. That concept of outcome together with need, we think, makes a huge difference to the approach to children.

*Law.* "In England and Wales and the other U.K. countries, we have a very different legal approach to children than you have here. Mostly here you're talking of federal legislation with money attached to it. We have framework legislation that sets the boundaries within which communities, professionals, children, and their family members must operate. But then it's up to the community to decide how they actually operationalize the law, and how much money they spend on different types of services.

"And the Children Act of 1989 is for *all* children. It covers public law and private law. It covers divorce as well as child welfare. It covers health as well as education. It's not about compartmentalized bits of the sector. And I think that makes quite a considerable difference. The Children Act of 1989, is expected to last at least 30 years in England and Wales. There has not been major legislation in the area since 1989. Esther this morning put up I think six major pieces of legislation coming out of Washington in the period since 1989. And I don't think you're better off for any of those pieces of legislation. Much better to do one thing well than to do several things badly."

*Empirical differences.* "We support very much fewer children away from home than here. In the United States, you support twice as many children away from home in the child welfare sector than we do. In the big cities, you support four times as many children away from home than we do in the U.K. For every child we support away from home, we support 20 at home. And we support them with health, education, and social services, and agencies operating on their behalf. This is not a job for social services alone. I talked about need earlier on. If you take the time to look at the needs of children in your community, you will not find any child whose needs can be met by child welfare alone. You'll find children whose needs can be met by education, social services, and health in combination. When we look after children away from home, we look after them under voluntary arrangements for the most part. Seventy percent of children are looked after under agreement between the parent and the local authority, without any involvement of the court. Even when a child is in care, that care is shared between the state and both parents. The responsibility for that child's upbringing is shared between the state and the parent. It's not handed over from one to the other. One of the key reasons why we have so many fewer children supported away from home is that all professionals are required to ask the questions that we researchers were asking twenty years ago: Can the state parent any better than an errant parent? The answer to that question is yes in some cases, but it is no in many others. I suspect you all are looking after so many children that there will be many cases where the state is doing the job much worse than a natural parent would do it.

"Adoption is another example. We have very few adoptions, only 5,000 each year, and only 2,000 of special needs children. There are lots of complaints that there could be more. But we only have 2,000 going from what you call state care to adoption. You adopt more children from the child welfare system in the United States than any other Western developed nation. You see that, on the whole, as a good thing. We're very wary about adoption for the following reasons. Twenty-two percent of adoptions in the U.K. break down. It's fine when you are having adoptions for children at the ages of 0, 1, 2, 3 years. For them the breakdown rate is less than 5%. But it's very risky when the child gets to 10 and 11 years of age. For them the breakdown rate is 49%. We worry about adoption, because when you look at outcomes for children, very often adopted children are better off in market terms. They get more access to televisions. Their adoptive families have more cars. But they are not necessarily better off in emotional terms, although some, of course, are. So there are all kinds of reasons why we have much less adoption.

"And finally, money. There are huge inefficiencies in the U.S., it seems to me, because you are not focusing on outcome in the U.S. system. I'm going to use health as an exemplar; it's the easiest example. We have a national health service in the U.K., and there is a tiny private health service. You spend as much on your public health system in the U.S. as we spend on our public health system, and then you spend one and a half times per capita again, on private health care. You spend two and a half times more on health care in the U.S. than we do in the U.K.. On average you live one year less than we do. If you look at the World Health Organization ranking of health services in the world, published this week, U.K. didn't do so well. I think U.K. came in at about 12. But the U.S. came in at 38. You've got a health care service which is a little bit better than Morocco."

Conclusion

"Messages from the U.K. that are relevant over here: First of all, there are huge variations within the U.S. There are huge variations here in Minnesota . . . and that means that a lot of the things I've been saying apply in one place but not in another. I'm not saying that we are any better at this than you are. You are certainly no better at this than we are. The key problem for me is inconsistency. I'm

a parent of a 22-year-old foster daughter. Together, when she was 14, we wrote a book called *A Life Without Problems.* It was supposed to be kind of a joke because she didn't have, by any means, a life without problems. But she did reasonably well on some outcome criteria. She's just graduated from university. She's in a stable relationship. She has huge emotional problems consequent on some of her maltreatment earlier on. She has a 21-year-old brother who had exactly the same experiences of maltreatment, but was diagnosed differently and had a different experience in the child welfare system. He ended up using heroin. And it seems to me the problem for child welfare is not that 'we are good and you are bad,' or 'you're good in Hennepin County; you're bad in another county,' or 'it's good in Minnesota; it's bad in Wisconsin.' It's that we're inconsistent across the board, and trying to reduce those kinds of inconsistencies strikes me as the great goal. But to achieve that goal, there is so much more we need to know.

"We have to think about concept. We have to think about law. We have to think about some of these empirical findings. We have to think about the proportion of expenditure that we spend on research and development in this area. In the U.K., 1% of health expenditure goes on research and development. That is a great deal more money than you spend here in the same area. Incidentally, Ford Motor Company spends I think 15% on research and development, because it seems we value motor cars sometimes much more than we do our own children. It's not just about research, and it's not just about thinking. It is also about bringing people together from different areas and giving them the tools and opportunities to think. We bring policy makers, key researchers, and practitioners to Dartington, and we isolate them for three or four days. We get them to think about some of the key reforms on which they have been working. Out of that process comes interesting social policy like the Children Act of 1989.

"Think about the place of evidence in all this. We have evidence-based social work. And we're not interested in ideology, but in what works, for whom, when, and why. We need to discover more about that and apply those kinds of findings. We have quite a long way to go on that.

"So very finally, I'm often reminded as I look at America, particularly at the empty lots in between the buildings, that this is a country that isn't finished yet. Actually, it's a country that's hardly got started. It's got a long way to go. We've got a long way to go in Europe, but it seems to me we've gone a little bit further than you have here. Some people here see the U.S. as being at the heart of the universe, that the job of building this society is all but finished. Actually you've hardly got started. . . . You've got, I think, further to go in children's services than most other Western developed nations. But I hope you look forward to it with some optimism, and are able to contemplate something very different from what you already have.

"What's the take-home message from all of this? I hope you take away a mixture of the kind of indignation that we've heard about poverty, about the treatment of the African-American population, about the treatment of the Native-American population, that indignation combined with some good science, so that you can find out something more about the children living in your communities. Because I don't think you know very much about the children in your communities. And I hope you invest a little bit more science to find out something about outcomes—what works, for whom, and when, and why. Because again, I don't think you know. It seems to me indignation and good science could take you somewhere along this long road that Clarke Chambers mentioned earlier on."

## The Welfare of Children: Agenda Items for a New Century

**A Panel Discussion**

*Priscilla Gibson, professor, School of Social Work, University of Minnesota*
*Michael Weber, president/CEO, Volunteers of America—Minnesota*
*David Sanders, director, Hennepin County Children and Family Services*
*Mark Toogood, Children's Initiative, Minnesota Department of Human Services*
*Sen. Jane Ranum, former chair of the Senate Judiciary Committee, and currently chair of the Senate Crime Prevention Committee*

Professor Gibson, chair of this panel, asked each panel member a different question.

Michael Weber

Q: "The first question is for Michael Weber. Mr. Weber, what should be a major agenda item for the twenty-first century?"

A: "I would suggest three things, that are really three sides of the same coin: delegalizing child welfare services; decriminalizing, or perhaps more appropriate, destigmatizing poverty, the poverty environment of families; and recriminalizing child abuse in its various forms. (Note I didn't say child abuse and neglect, and that's a significant difference.)

"The question is, what would then guide our system? I would suggest we turn to the outcomes. I would talk about the accountability for articulated outcomes. Much of our system is driven by an outcome orientation, but can we articulate those? I can point out many flaws in going a direction like that. On the other hand, the alternative is to stay with what we've got, and I would suggest significant changes are needed. I would suggest we move ahead with outcomes that we can market, the assumption being that if there is someone out there we can support, partially financially, but on a broader scale, outcomes that we have identified in understandable terms, that's worth something.

"I would close in suggesting what some of those outcomes would look like. I would suggest they are the basic goals of our society. We have to shift from a focus on parental negatives to the promotion of social obligations. Those basic outcomes have to be desirable outcomes for children—housing, income, adequate education, family permanence, sound health, and the safety of children. In some cases there must be a more intrusive response on society's part. Sexual abuse, the more egregious forms of physical abuse, and particularly in view of Jeanne Giovannoni's research on neglect—seriously threatening forms of neglect have to be dealt with in this arena. Any approach must identify our articulated outcomes. We're willing to be accountable for those, and we are willing to put our resources, whatever they are, behind us. I would suggest the promise of an approach like that is stronger than continuing and increasing the legalized child welfare system, and increasingly criminalizing the poverty of families or increasingly non-appropriate responses to the severe abuse that some children are facing today."

David Sanders

Q: "Dr. Sanders, what are the necessary conditions for improving the well-being of children? Perhaps you could address the difficulties in capturing political and community support for child welfare. Why is that, and what would you recommend to improve the context in which child welfare issues are raised?"

A: "I really wanted to talk a little about that second question, and then bring it back to the first question about necessary conditions to improve the well-being of children.

"I work in a political system that I find very interesting. In many ways, the child welfare system is actually a reflection of the political system that we are a part of. I would say it's important not to lose sight of that fact. Our political system is really built on a context of having winners and losers, of having those who are deserving and undeserving. And I think many attempts are made at making sure that the losers—whether it's a political party, whether it is constituencies, regardless of who it is—that the losers remember their place as losers, and that the winners remember their place, and remain in their place, as winners. Obviously, this is not universal, but I also think that it's a system we have. So the child welfare system in general, I think quite frankly, is a system that is designed for people who are seen as undeserving, or who are seen in some ways as losers in this society.

"I think we are very willing to provide some minimal care to make sure that people don't become too upset about their current condition, but I also think our history would suggest that we aren't willing to provide more than that. If we look at policy around children, I think there is incredible tension between the rights that children have as separate individuals versus individuals that are part of a family, and I think that all of that tension is captured within the child welfare system. If we actually view children as individuals with rights, we would look at the role government plays in supporting children very differently."

Sanders noted that there is a dramatic policy difference between the role government plays in supporting seniors and supporting children. "We assure Medicare. We assure Social Security." The only entitlement for children who don't have disabilities is Title IV-E, which is mandated at the federal and state level as part of child protection. "There is very little else that is actually a mandate for children. I think that speaks volumes to the kinds of things we see as being important for children versus the kind of support that we might give to seniors.

"So . . ., I think that we have in many ways a system that we've asked for. We have a system that does not intervene unless parents convincingly demonstrate their inability to care for children. Short of that, the intervention is entirely a voluntary intervention, regardless of whether children are homeless, regardless of whether parents are drug users. The other piece is that we will pay for out-of-home placement" at the federal and state levels, "but there is no other support system that's actually entitled for children.

"From where I sit—and this is a position of working a lot with elected officials—I think that there are a couple of things that are very clear in expectations about the child welfare system, and actually, I'd probably say more nearly, the child protection system. One is the public generally expects that if a child has been abused or neglected, that it won't happen again, that government has a role in ensuring that it doesn't happen again, and that if it does happen again, we will be held accountable

for that. The second thing that the public expects is that children won't languish in foster care. There is very little that is as compelling to the public. . . as children languishing in foster care for years without any resolution. We've seen changes in federal and state policy that say that's not what we want from our child protection system.

"One of the things we have to do is to demonstrate that the system that's in place now can achieve those objectives. I think it has to be focused on outcomes. I could probably spend as much time as anybody else in here talking about the importance of early intervention, talking about the importance of well-being, but I'm not sure that it's as much of a driver for the public as either of those two issues—that once children are abused we make sure it doesn't happen again, and that children don't languish in foster care."

Sanders continued by saying it is critical that "we generate additional public support by meeting those two objectives," and critical to remember that our child protection system is in urban areas in this country. "The reputation of our child protection system is really a reputation that is generated from urban systems. . . . Urban child protection systems are overwhelmingly systems that deal with families of color, with children of color, and with children in abject poverty. As long as the view is that they are somebody else's children, I think again, we will have the system that we want within child protection."

Mark Toogood

Q: "With our current concentration on the safety for children enmeshed in the child protection system, are we disregarding the well-being of children? [In light of] your experiences as a guardian *ad litem*, what do you consider the necessary rights of children, and what do you think is required to provide optimum development?"

A: "I think it's a false-choice proposition—the safety versus the well-being of children proposition; I think what we want to do is nail the pendulum right square in the middle." That requires good risk assessment, "and we hope the structured decision making helps us with that, but it also means a series of supports that undergird families before they get to that critical point. . . . I think it's interesting that the United States along with Somalia are the only two countries that have not ratified the Convention on the Rights of a Child . . ., one of those telling blows about our values around children.

"I'll just take a second to talk about—from where I sit as a state bureaucrat as we begin the biennial legislative and budget planning process—the telling theme that emerged again in the governor's big plan in his direction to the Department of Human Services. Our priorities for the next biennium will have to be structured around these following four themes: self-sufficiency and independent living, protection for vulnerable people, healthcare for the next 50 years, and insisting that parents parent. Those are the four structuring principles for our legislative and budget package for the next biennium. Now, does anybody notice anything missing? Family support? Yeah.

"I'd like to share with you a quote. . . . Alan Wolf, one of our more distinguished social scientists, wrote an article for *The New York Times* called "The Pursuit of Autonomy" where he talks about this American spirit, independence, and self-reliance. He said, 'The public and the private constitute two entirely different realms of life, the former driven by suspicion, namely the public, the other informed by love. The same Americans who give to charity are more likely to support welfare

reform. People who disapprove of homosexuality will respond with compassion when someone they know becomes HIV positive. Let an issue be defined as a cause and Americans, wary of the impersonal and the abstract, will turn their backs. Let it be defined as a matter of friendship, family or faith and they will act generously.' That to me is a nice crystallization of the conundrum that has been articulated very well here today: that philanthropic giving is up tremendously, that volunteering is up tremendously, that Americans are digging deep in their pockets to help out, but they don't want the government telling them to do it. So somehow we have to finesse that conundrum as we move forward with child welfare policy."

Jane Ranum

Q: "What would the legislature require to become advocates for a broad child welfare system that supports strong prevention efforts and a continuum of social services for family support?"

A: "One of the things you have to do to change things here at the legislature, at least my experience, is to frame the issue in such a way that your colleagues will realize it is in their fiscal interest to do it a different way. Let me give you just two quick examples of that." The first time the legislature put in money for prevention was 1992. "The reason we were able to do it is because we had just come from a whole series of murders of young women, rapes and murders that caught attention around the state. One of us said that for every dollar that you're putting into [criminal prosecution], then put at least a dollar into intervention. Have we kept up with that? No, but no longer do we talk about not spending money on prevention in a crime bill. That was a policy breakthrough.

"This past year, some of us have been involved in the issue—and I describe it as an eyes-glaze-over issue—of integrated criminal justice information. . . . It has been named Katie's Law. And having seen the tragedy of what happened with the Katie Poirier case, you saw. . . the people in the business community agreeing with us who said, 'My goodness, why is it that Target can track our socks, but we can't track criminal justice information?' And so it was taking a complex issue and reframing it—that the relationship between the local units of government and the state have to be different when it comes to funding basic safety. That 12 million dollars that we got this year for the first installment, for the backbone of the system, was huge.

"Those of us at the legislature are saying we must do that when it comes to child welfare, because right now, you know what I know, if it's on your property taxes, who wins every time? The taxpayer. And so my challenge to you is: we've got to do what we did successfully in the eyes-glaze-over issue of criminal justice information. . . . Reframe this issue, put at the table business leaders. Why? Because business leaders have an economic interest in having productive workers. Academicians will share their research with them. They understand that" issues being dealt with in child welfare also affect the workplace, issues such as substance abuse. "They are beginning, sadly, to understand that domestic violence comes to the workplace. They've seen innocent folks, both the victim as well as employees and fellow colleagues, killed when domestic violence came into the workplace. Increasingly, employers are learning what those of you out here in the field have known, and that legislators began to learn in the last four or five years--that their grandparents are raising grandchildren. That has become an employer/employee issue. They are beginning to learn about the impact of mental health.

"So one of the challenges" we have to meet is that "we really don't have the business community understanding these issues. But we do know" that when we reframe issues, they understand them.

"We passed [the intergrated criminal justice information] legislation in spite of the reluctance of the governor because we worked on a bipartisan basis. We had the business community as our strongest allies along with the courts. . ., and, tragically, the families of the victims. And we had a face with it.

"We have had opportunities with child welfare to do things differently. . . . David Sanders is absolutely right. As a director of the largest county in this state, he has to deal with what the politics of that county board are. And I can tell you that there are no bad people on the board in Hennepin, but there are a lot of people on the county board that don't understand this issue. . . . They don't understand how those families could be their families, that they could be somebody that they know.

"So my answer to this very excellent question is one we all have to figure out, and I think it can be done. But one has to understand this is a political environment. And until people start really being persistent. . ., engaging the business community and small communities. . ., because they can be our biggest allies if we work with higher education and the legislature to reframe this issue."

A panel member added, "if you're talking about addressing the gulf between the affluent and the inner city poor, especially the communities of color. . ., we need to talk about racism and the marginalization of people of color boldly and directly, and have programs and cultural competency efforts that address specifically the racism in the system."

## Response from the Field: A New Direction, A New Generation
## A Panel Discussion

*David Thompson, child welfare reform consultant, Minnesota Department of Human Services*
*Katherine Harp, child welfare scholar, Center for Advance Studies in Child Welfare, University of Minnesota*
*Ann Turnlund, former social services program advisor, Minnesota Department of Human Services*
*Katherine Luke, graduate student, School of Social Work and Hubert H Humphrey School of Public Affairs*

David Thompson

Thompson said he had been asked to talk about current child welfare reform efforts in the state. He is working to implement a program called Alternative Response. This is an alternative to the "traditional forensic, legalistic, often intrusive child protection investigation that results in some determination about child maltreatment. Instead it offers holistic family assessment that continues to address issues of safety and risk, but also focuses on strengths and family needs.

"Why are we doing this? Because the protocol that we use right now was developed over 30 years ago primarily to deal with very serious and egregious situations—physical abuse, sexual abuse, child abandonment. Since that time we've added many categories, mostly around neglect, and the protocol that we have now does not respond well to neglect situations, nor is it needed.

"The system that we have right now gives the illusion of safety for children, but really does not offer that. . . . Currently, 45% of all assessed reports of child maltreatment in Minnesota are determined to be true [a bit higher than the 35% nationally]. But less than half of those cases receive services, and less than a third of those families enter into CHIPS (Child in Need of Protective Services) situations. So in reality, less than 10% of all families receive services on a regular basis. The best we can do for a large chunk of the families we work with is to simply label them as being abusive or neglectful, and saying we neither have the will nor the resources to do something about that.

"We don't keep kids safe. The communities and families keep kids safe, and we need to have a system that is reflective of that. Alternative Response does that. It engages families in looking at their strengths. There is no leverage in keeping children safe by looking at deficits. It's strengths that keep children safe within families. It's extended families; it's community supports; it's those kinds of things. Everything in this program orients workers to do that.

"We have legislation that was passed last year in Minnesota that allows counties to do this. Senator Jane Ranum was one of the authors, and Representative Matt Entenza was another.

"We've had much experimentation nationally. Missouri has been doing this" since 1994 with much success. "Their research suggests that children are made safer sooner because families set aside the confrontational experience in child protection, and engage quickly in a joint effort to try to keep kids safe."

Thompson observed that the public has a skewed understanding of child protection based on the egregious cases gone awry and reported in the media. "That only represents a small minority of the cases that we deal with. Most of the families we deal with are families that are seen once and are out of the system, [and] there is no reason to label them, to shame them. Better to offer them help; better to extend a hand, especially since there appears to be some significant racial profiling in this.

"Communities in the inner-city view child protection as danger. The system probably doesn't get the reports it should because it's not perceived as an organization that responds well to children." The Alternative Response program is voluntary on the part of counties, with the exception of very serious cases, which are mandated to continue to receive the traditional investigation.

The Alternative Response program is done "in combination and coordination with the McKnight Foundation, which has provided a five milliondollar grant. Combining both State and federal dollars, we have 16 million dollars in grants to 20 counties to implement this. Those counties have just been selected within the past week. (Some have been doing this previously in pilot projects. Olmsted County is one that has a nice history in doing this.) We will receive additional funding for assessments and to provide services to families that normally would" exit the system quickly without services.

"The assessment will inform a plan that the parents will put together, which will be facilitated by the social worker. Two thousand dollars will be allotted per family who receives post-assessment services. Five hundred dollars of that will be for concrete items" such as rent deposits, appliances, car repair. Thompson said there will also be a four-year research program that will be externally reviewed and will look at outcomes such as subsequent child maltreatment reports, family stability issues, and improvements in the risk levels.

"I think this has the possibility of changing the face of child protection services. I know that it may be new to some of you, but up to 70% of cases are handled by a family assessment approach in some other areas. That decriminalizes the approach, delegalizes the approach to child protection services. It may be the primary intervention used in Minnesota if research suggests its efficacy."

Katherine Harp

"The question that was posed to me was, what would improve child welfare practice? Having finished my first year in graduate school, as well as having practiced for a number of years, I've developed a greater appreciation for an ecological perspective or holistic perspective. My personal practice incorporates that philosophy. I think especially in working with families of color, it's imperative that you work with an ecological perspective. That's where many of the assets and resources that are going to keep families together come from.

"It's similar to the program that was just outlined. With the ecological perspective in mind, I think it's also important that you consider the dynamic of a family entering the child protection system."

She noted that there is "a huge stigma" attached to the name *child protection*, and defensiveness comes with that stigma.

"As families enter, I think you can see what we might call a disregulation. It is a family in crisis. They are being removed from their environment, from their communities, but I think what they actually are doing is regulating, that they are in some way trying to pull as much of themselves as they can together in order to get through this process of child welfare/child protection.

"I think there's a lot of value in keeping services at a neighborhood or community level, of understanding and appreciating the ecology within communities, whether that be the barbershop, business owners, whatever." She said that, while "a lot of families need to be responded to at a crisis level, there are also a lot of families that need services up front. It's almost like part of their regulation is to figure out how to get around the child protection systems. Folks aren't silly; they're survivors, they're resilient folks with a lot of talents. I think a lot of those talents stem from their communities and their own ecology."

Harp also commented on "the arrogance of social work, that is, that assumption that we know all [and that families are] here to learn from me. . . . I think as the profession of social work is enhanced. . ., theory development has to be in concert with the reality of neighborhoods and cultures. There's a comfort zone with families, and when they enter a child protection system, we're removing them from that. So we're really not getting the true family."

Ann Turnlund

"I was asked to talk about the priorities from a new generation's perspective.
I do accept my label as being of the new generation in child welfare." She noted, however, that she comes "from a lifetime of the issues," since she has a background in juvenile probation, now works at the State of Minnesota in adoption, was a child welfare scholar, and is an adopted adult.

"I think . . . that accountability needs to be first and foremost." She emphasized that outcomes for children of color don't look good in most cases, and a strategy is needed to resolve this issue. "Children of color, specifically African-American children and Native-American children, seem to fare far worse than other populations." If these very difficult issues can be resolved, then "there has to be something positive to trickle to the other communities."

She cautioned against getting used to the fact that children of color are overrepresented in child welfare, and said that, given the movement toward open records, open courts, and open adoption, "I have to think that we're in a stage or an era of openness. Let's take advantage of it and open our perspective, open our ideas of what it means to be culturally competent and what it means to have competent child welfare services. I think it begins with individuals exploring our own culture, and being open to the realization that what I bring to the table affects how I deal with every single person in every case that comes across my desk as a child welfare worker.

"[It also requires being] open to learning about other communities. Recently we've been successful in translating forms so that communities of color can have a better understanding of our system. But what have we done to understand their family system?

"We need to be open to collaborating and partnering with communities. I do think that partnering with the business community is an intelligent approach, but I don't know how successful we can be at that until we decide that it's time to collaborate with the communities that we serve." She asserted that this should include not only bringing communities of color "to the table to reflect upon the policies and programs that we have already implemented, but bringing them into every table" from the beginning. What should our objectives be. . ., what works for whom, when, and why? Have them answer those questions, and then create policy from that discussion.

"Lastly, there is importance in having community-based organizations or having services within the community. But I think we know from history that giving money is not the only answer, that we need to give money and we also need to give support.

"I'm hoping that we can be more accountable as a system, and be open to a lot of change, and hopefully, positive outcomes in the future.".

Katherine Luke

"I'm not only a graduate student here, but also a research assistant at the Center for Advanced Studies in Child Welfare. When we started talking about this conference, one of my assignments was to talk to some people in Washington about what they thought would improve child welfare practice. Everyone that I spoke to talked about the fragmentation of the child welfare system and how all of the services are completely separated. People focus on very small issues and ignore the big picture.

"A lot of the people that I talked to were excited about the federal outcome-based evaluations. While I agree that focusing on the big picture is very important, I don't share their optimism about outcome-based evaluation solving the problem" because there are too many variables to predict what can affect successful outcomes. Nevertheless, reflecting on "why there are disproportionate numbers of poor people and people of color who are trapped in substance abuse and use situations, and expanding thinking about that to how the forces of oppression operate in the United States to keep people in the place that they are," are very important.

"The second thing that I want to talk about is the profound distrust of systems, and how that affects both the people we work with in child welfare and" potentially good workers who turn away from the system. "In my generation, among my friends at least, people are very turned off by the system, and want to completely ignore everything that has to do with the government, with politics. And getting people somehow involved in that system would be helpful."

The presentations were extraordinarily interesting in terms of how one reframes questions, thinks about need and not investigation . . . And yet the profound question seemed to be: what galvanizes the community to care about these children? One response was, we get what we deserve. There's a very minimal interest in attachment. I think about Norman Orenstein , a political scientist, who said "America is a hot bed of social rest." And therefore, it's going to take an enormous amount of political energy to arouse a sense of saying "these children are our children and therefore we should be caring.

Michael Little suggested that the United States of America was a work in progress. That he just sees plenty of empty spaces. And he sees plenty of new beginnings. And I think we have to think of our child welfare system as a work in progress. And I would like to suggest that this community in Minnesota does need a think tank. I think it needs our own Chapin Hall.

I think that we have excellent people with really profoundly interesting observations. A great willingness to release energy to think about it. And I would like to propose that we have a round table that meets on a regular basis around a research based piece of work, an innovation that is being tried some place in the country, that we have a presentation and a persistent interest of some decision makers, some legislative people, some people from the corporate sector, to think through with us a reengagement of our interest in children, especially those that we now feel are going to be perhaps inexorably leading to a life of despair.

I would say that perhaps the next issue that we're going to have to take a look at is whether or not we can do two things. One is, train our social workers, caseworkers, managers, supervisors to reframe the question by asking what do the children in this family need?

And secondly, I hope we can say whenever we see an impact statement, whether it's on housing, on substance abuse, on the needs of the mentally ill, on working with a cognitively disabled person, or whether we look at a family in which the poverty is extreme, instead of looking at the behaviors of the caretakers, I wonder if we'll be able to make our first question – what is the condition of the children? I think that would be a considerable reframing.

## Concluding Remarks

*The following is a summary of the brief remarks made by Esther Wattenberg to conclude the conference.*

The presentations in this forum were extraordinarily interesting in terms of how one reframes questions in considering the welfare of the child . . . . Is the primary question, "What does the family need to function in a nurturing role?" That is a child welfare question. Or is it "What is the evidence that the family has maltreated their child?" That is a child protection question. We have, as yet, not measurably shifted our attention to the first question, which contains the social justice imperative. .

Now we bring in the question that interests policy and program analysts. What galvanizes the community to care about abused and neglected children, aside from the high profile case that attracts momentary attention? There appears to be minimal interest in the welfare of children outside of school achievement. Norman Orenstein, a political scientist, may have captured the Zeitgeist or spirit of the time when he observed, "America is a hotbed of social rest." And therefore, it is going to take an enormous amount of political energy to arouse attention to children and their families enmeshed in our child protection system.

Michael Little suggested that the United State of American was a work in progress. He sees plenty of empty spaces, and he sees plenty of new beginnings. Perhaps we have to think of our child welfare system as a work in progress. Perhaps what we need is a roundtable that engages a cross section of "good thinkers" (Minnesota has an abundance of such types) to consider, on a regular basis, broad-based questions of social justice, innovations, and even exposes—all of this to energize a community to pay attention to the phenomenon of children at risk.

Perhaps we can focus on two strategies. First, to train our social workers, caseworkers, managers, and supervisors to reframe the first question in a child protection case opening by asking, "What do the children in this family need?," not "where is the evidence of maltreatment?"

And secondly, whenever we see an impact statement—whether it is in housing, substance abuse, the needs of the mentally ill, working with cognitively disabled persons, or domestic abuse—instead of looking at the behaviors of the caretakers, I wonder if we'll be able to ask, first, "What is the condition of the children?" I think that would be a considerable reframing.

And now for some final observations. Each of the presenters, in struggling with the large question of social justice and the child welfare system, touched on inherent predicaments that thread through practice and policy:

- discrepancies between what our public agencies offer and what families believe they really need (parent education versus housing in a safe community).

- ideological differences in how to consider the poverty that enmeshes children in chronically neglecting families (poverty as a product of inequality of opportunity rooted in social conditions or the result of personal responsibility and behaviors).

The political environment in which we consider these questions is troubling: The country appears to be in a peculiarly ungenerous and insecure mood. But among child welfare practitioners, there is a strong signal of social awareness—service providers are becoming more sensitive to the large set of relationships and institutions in the lives of their clients and more likely to consider and work with families in the context of the communities in which they live.

This is promising, but plenty of work lies ahead.